

University of Northern Iowa

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Source: *The North American Review*, Vol. 132, No. 292 (Mar., 1881), pp. 211-222

Published by: University of Northern Iowa

Stable URL: <http://www.jstor.org/stable/25100939>

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NORTH AMERICAN REVIEW.

No. CCXCII.

MARCH, 1881.

THEOLOGY IN THE PUBLIC SCHOOLS.

THERE is no feature of American civilization that more deeply impresses the stranger, who brings with him the mind of a statesman, than that of our religion. He comes expecting to find us an intelligent, active, energetic people; he believes in our free spirit and our indomitable pluck; he has heard of our impatience under misrepresentation, and he is willing to credit this to what the primitive worthies of the republic called "a decent respect for the opinions of mankind." He expects, also, to see this decent respect working itself out in the improvement of society and the embellishment of our domestic life. But he has, possibly, thought of us as a people trying the hazardous experiment of living without state support for their religious wants, and leaving the supply of such wants, even in new territories, to the caprices of a rude colony of pioneers. What he actually beholds, even in the recent wilderness to which the sierras of Nevada furnish a backbone, is, therefore, the occasion of surprise, and not less of reflection and inquiry.

In short, he finds everywhere the glistening spire, and, amid evidences of the most elementary social state, he rarely fails to discover some provision for the worship of God. In cities, he sees churches of costly material and proportions, and many of them of considerable merit, the work of clever architects. Here

and there are attempts to reproduce the cathedrals of the older nations; and, in general, he admires the lavish expenditure with which churches are built and adorned, and the steady tribute of wealth by which they are kept up and supplied with ministrations from year to year. Around many of them cluster schools, and hospitals, and asylums, supported without aid from the public funds; and numerous colleges and theological seminaries, entirely the foundations of individual beneficence, attest that noblest of all varieties of the spirit of charity, which, instead of being limited by the momentary impulses excited by contact with suffering, plants the tree which is to yield continual fruit for the healing of bodies and souls in ages yet to come. And, not to refer to exceptional cases, some of them ignobly characteristic of alien colonization, it may be truly said that all this is the product of voluntary and intelligent piety. And, in general, where conscience toward God is not directly the motive, it is still the deep conviction of the popular mind that pious men are, after all, the salt of the land, and that without the influences of religion social order cannot be maintained. Moreover, although the Jewish synagogue is not infrequently to be seen, erected with corresponding ideas and a similar munificence, it is unquestionably true that this voluntary investment of wealth is, almost wholly, a tribute to Christianity.

Our Christianity is not, perhaps, without grave defects and blemishes. The divisions of those who profess to follow one Master and Lord work out into manifold abuses, rivalries, and even conflicts, which tend to weaken the power and influence of the truth that is held in common. Yet, for my present purpose, even this glaring inconsistency is the stronger argument. An indifferent sort of conformity to the ideas of the gospel would content itself with a more perfunctory discharge of obligations. A village would have its house of prayer, or of preaching, and little concern would be manifested as to the doctrines or devotions of those who might resort to it. But such is not the spirit of American sectarianism: every Christian wishes to maintain a specific Christianity, and is willing to pay largely for his personal views and tenets. Hence, a petty village will build half a dozen temples and strive to support them all. The waste is immense, in the view of the economist, but it proves what I am now referring to—the deep and earnest religious element in our social estate. Christianity, as such, they all agree, or nearly all,

to be fairly represented by their neighbors, so far as seems absolutely necessary to future happiness; but, for the very essence and kernel of Christianity also, each is willing to tax himself; and a village that might be fairly expected to raise a thousand dollars yearly for the support of religion, will be found paying five times that amount, and if the interest of invested capital be added, then much more. Neighbors, who do not belong to "any particular religion," will often be found paying liberally to "help them all," under the conviction that they all do some good, and contribute to the respectability of the place. Such is the public sentiment, the popular impression at least, and so large are the tributes it yields. The stranger I have instanced finds here no armed police; yet, everywhere, he finds a prevailing respect for authority and obedience to law. The duties of the magistrate are comparatively easy, and rarely does he require any stronger force than the wand of the constable. The invisible support on which all depends comes from public opinion, and public opinion, in ultimate analysis, is the product of the habits and examples formed by religion. What the stranger wonders at, then, is the spectacle of a government deriving its sure support and defenses from a predominant Christianity that takes care of itself, and, in so doing, without any cost to government, provides, in a practical way, for the perpetuation of national prosperity.

The history of our people explains all this. Our forefathers were, in their various kinds, earnest Christians. The daring which led them to explore a waste of waters, not to find a haven, but to throw themselves upon an inhospitable coast, where not even a hut might shelter them, and where their first task was to invade the dens of wild beasts and to battle with the savage, was the same kind of heroism which has made up "the noble army of martyrs." Their fundamental ideas were those of their faith. What they coveted for themselves, if not for others alike, was, before all things, religious freedom. The grand republic, of which they laid the foundations, had its origin in religious convictions, which were real, all-controlling, unyielding, enduring. They have bequeathed this religious sentiment to their progeny, along with the civilization which they created. And the conviction is deep, among all the thinking classes in our country, that when our Christianity disappears, our national estate must perish with it. What may come from anarchy, when the church-

going bell has ceased to be heard in the land ; * when religion no more sanctifies the birth, the bridal, and the funeral ; when the matron and the maid, as Christian marriage has made the one, and the Christian family the other, are no more the light of the home, and the center of all noble loves and relations ; when all these blessings shall have been forfeited in America, as they have been in other lands, it would be idle to conjecture. One thing is certain, the America of Washington, and of the century that came after him, will have perished forever.

Now, there is another peculiarity about this national Christianity, such as it is : with all its sharply cut and defined sectarianism, it is exceedingly tolerant, or, rather, practically good-natured. And the secret of this, apart from the excellent common sense of our people, is their general acceptance of one book, as their common inheritance, and as the Word of God. If ever, by any occurrence, the American people should so far disagree about this book as to provide themselves, each church and sect with its several bible, there can be little doubt that elements of social discord would soon be introduced, which thus far have been happily unknown. The enormous value to a people, to a race, to a world of English-speaking humanity, of such a common bond as they now possess in their hereditary Bible, must be felt by every reflecting mind. In presence of an immense audience, in Paris, after an argument of overwhelming eloquence and logical force, I once heard Father Loyson attribute the vast superiority of the people "beyond the Channel," in all that makes freedom a possibility and a lasting possession, to their knowledge of a Bible in the vulgar tongue, in which, from the Queen to the plowman, the whole population are more or less instructed ; "so that its old Shemitic proverbs and formulas of thought and expression are absorbed into the habits of the race ; even infidelity and unbelief unconsciously borrowing its felicitous idioms, in the endeavor to turn their point and beauty against the source from which they were derived." I have heard Dr. Newman, in his efforts to talk like an Italian, inadvertently clothing an assault upon the religion of his better days in a quotation from the common English Bible, from which he vainly strove to extricate himself by picking up his *parvenu* acquaintance with the wretched and hobbling version of Douai.

* On the law, as respects the Lord's Day, see "The Superior Court of Buffalo," by Judge Smith. *Brunnett vs. Clark*, 1 Sheldon, p. 500.

And now, let me remark that the question of "Theology in the Public Schools" resolves itself into this: Shall such a venerable and priceless possession of the English-speaking world be ignominiously thrown out of the schools, after the experience of two hundred and fifty years, during which, with few exceptions, Americans, one and all, have received it as part of their education, and laid their hands upon it reverently in all transactions requiring the confirmation of an oath?

It is not a question of bringing in, but of thrusting out: and who are they who would thus deprive the children of the future of an element in their education, such as long experience has proved essential to the social fabric, and, personally, to the formation of the citizen capable of rational and regulated freedom? We find the only opposition to the old order of American education, almost the only opposition which creates any difficulty of a practical sort, coming from those who are opposed to freedom itself, and who make no secret of their disposition, not to thrust out theology from the public schools, but to bring it in; provided always that it be the theology of Pio Nono and his "syllabus." In one of the public schools of the State of New York,* which I visited in the discharge of my duties and the exercise of my rights as a citizen, I found the whole course of instruction controlled by theological ideas of this sort, and managed by nuns, wearing the dress and trinkets of their order. It is from such a source, primarily and principally, that we find the most emphatic protest against the Bible in our public schools.

With the exception thus indicated, it may be safely said that nobody in America dreams of introducing dogmatic theology into these schools. The practical wisdom of our Christian civilization consents to this as a condition of social existence forced upon us by Divine Providence. Each religionist contents himself with supplying, by other instrumentalities, such instruction in his own tenets as he feels bound to impart to children. The same practical instinct recognizes the advantage of having all children educated in the knowledge of the Bible, apart from dogma, as the surest foundation not only of a good moral character, but also of a familiar acquaintance with the English language. The Bible, as a classic and as the base of all our social and moral ideas, and not, in any sense, as the text-book of

* At Corning, in Steuben County.

a formal creed, is thus honored and accepted among us. Nobody who claims an English education can be ignorant of this book: it is the corner-stone of our language and literature: and as I have said, the question is not about bringing it in, as a novel and untried experiment; but about thrusting it out in disgrace, after centuries of happy experience of its importance. Possession gives us nine points in our favor, and feeble indeed must be the popular mind and conscience if it permits such an ejection to be served against it, at the demand of a comparatively small and intolerant minority.

Just here, an aggressive infidelity comes to the aid of bigoted intolerance, and sets up a plea for this minority, as a plea for the American constitution. A single citizen, it argues, outweighs the whole residue of the people, if he appeals to the constitution against any attempt to teach his children out of a religious book. The Bible, therefore, must be expelled from the schools.

But the constitution of the United States has its origin in the practical wants of a Christian civilization. It may be changed when a majority of the people becomes Mormon, Mohammedan, or Confucian; but, while it lasts, it must reflect the spirit of that civilization which created it, and which it was created to protect and to perpetuate.* It is confessedly opposed, in its very essence, to any governmental support of dogmatic religion; but a philosopher like Montesquieu must recognize its spirit as that of the Christian civilization from which it sprung, and with which it must stand or fall. If our people ever become Turks, it must perish. This essential principle of its existence is not the less mighty in operation because it is implied rather than expressed. The same instrument says nothing about the English language, but it is written in that language. It says nothing of grammar and logic, but it is addressed to the reasoning faculty, and it is cast in grammatical forms. It says nothing of geography, but it implies that the American people have a local habitation, and that there are American States with certain defined boundaries and limits. It is so in all creation: what is inwrought need not be labeled. God's name need not be written upon the rocks and the water-floods; no need of a trade-mark upon the seas, much less of any speech or language to help the glittering firmament proclaim the glory and majesty of the Creator.

* See the case of the "Latter Day Saints," Supreme Court Reports, Otto, vol. xeviii., p. 161.

But while it is well to insist upon the spirit of our national constitution as that of a Christian civilization, it is enough for our present purpose to observe that the question now in hand is left by that instrument to the municipal laws of the several States. Of these States, the national constitution requires a republican form, and it forbids them to establish religious tests for holding office, but it leaves education to their absolute control, under such restrictions. Now, like the national instrument itself, the constitution of the State of New York recognizes and affirms the common law, and therewith Christianity, considered apart from dogmas, as the moral and religious base of our civilization. Municipal law, enacted under such a constitution, has power to regulate the moral conduct of society; it cannot forbid a man to be a Turk, but it can forbid him to violate the moral sense of Christian society by practical polygamy. "Municipal law," says Blackstone,* "regards the man as a citizen . . . bound to duties which he has engaged in, by enjoying the benefits of the common union, and which amount to no more than that he do contribute his part to the subsistence and peace of society." Again he says: "Municipal law is a rule of civil conduct prescribed by the supreme power in a state, *commanding what is right and prohibiting what is wrong.*" He shows that the exercise of this supreme power is not limited by the approbation of the individual; what society establishes, the individual must obey; even the Quaker must pay his taxes for the support of the militia engaged in actual warfare. Now, the Christian character of our municipal laws, with the qualifications I have noted, is sufficiently established by our jurists and by our courts of justice. A few citations may be pertinent. Let me refer, in a less particular manner, to the splendid argument of Webster, in the "Girard case."

"Christianity," says the Supreme Court of Pennsylvania,† with evident reference to its moral and social system only, "is part of the common law of this State. . . . Its foundations are broad and strong and deep; they are laid in the authority, the interests, and the affections of the people. Waiving all questions of hereafter, it is the purest system of morality, the firmest auxiliary, and only stable support of all human laws. It is impos-

* "Laws of Nations," sec. 2, vol. i., 434.

† Updegraff vs. Commonwealth, 11 Serg. and Rawle.

sible to administer the laws without taking Scripture as their basis. . . . An oath, in the common form, on a discredited book, would be a most idle ceremony."

And, to the like purpose, it will suffice to quote Chancellor Kent, as to the State of New York.* "Christianity, in its enlarged sense, as a religion revealed and taught in the Bible, is not unknown to our law. The statute for preventing immorality consecrates the first day of the week as holy time, and considers the violation of it as immoral. . . . The act concerning oaths recognizes the common law mode of administering an oath, by laying the hand on and kissing the Gospels." And, in the same connection, he says: "Whatever strikes at the root of Christianity tends manifestly to the dissolution of civil government." Again: "Blasphemy, according to the most precise definitions, consists in maliciously reviling God or religion, . . . reviling Christianity through its author. . . . Such offenses have always been considered independent of any religious establishment, or the rights of the church. They are treated as affecting the essential interests of civil society."

If all this be law, municipal law and organic law, surely the quiet Christians, who, in addition to taxpaying, yield such voluntary tribute to the state as I have instanced, by supporting the institutions of religion, ought to take their stand upon the laws and insist upon the right of children to learn the elements of Christianity in the public schools—to form some acquaintance with the Bible. To this purpose the Supreme Court of Pennsylvania speaks pungently, when it asserts the emptiness of "an oath upon a discredited book." Discredit and eject that Book, and you "strike at the root of civil government."

But here and there a taxpayer sets up a grievance. It may be well to deal with this class of complainants as we deal with those excellent citizens, the Quakers. We do not abolish the militia, nor exempt them from supporting, by their taxes, an institution which is required by the public good; but we do exempt them from bearing arms. Let all children whose parents object to their presence when the Bible is read, be excused from attendance at such exercise. But then, not to furnish children with a play-spell, on such professions of grievance, let the same children, for an equal time, be exercised in the reading and hearing of the national and State constitutions, and sundry municipal laws.

* *People vs. Ruggles*, 8 Johnson, 290.

There are some who will never be satisfied with slight concessions, it is true. Must we overthrow the whole fabric of our laws to please them? When the Hindoos become as numerous in California as the Chinese are already, they will doubtless set up a grievance with respect to common schools, for which they pay taxes, unless the microscope is banished from such schools. "We cannot send our children to be instructed in the use of such a cursed instrument,"—such will be their plea,—“because we are taught that it is wicked to feed upon animal life; and this mischievous invention of the enemies of our holy faith leads our children to suppose that they cannot drink water, or eat a fig, without losing their caste and becoming reformed Hindoos, or not Hindoos at all: its optical perversions being such as force them to infer that water is alive with all manner of eels and fishes, and that figs are full of little goats and camels.”

How should we answer the Hindoos? For aught we see, the answer we should give them is precisely the answer which we must return to all those who insist that we should turn the Bible out of our common schools.

Those who make this claim are of two classes: the rabid infidel or atheist, on the one hand; and those who make the syllabus of Pius the Ninth part of their creed, on the other. It is with reference to such citizens that we are now considering the question of "Theology in the Public Schools." Let us define more carefully what is meant by theology.

We fall back upon Blackstone, as already quoted. Theology as a rule of faith is, whether rightly or the contrary, absolutely excluded; but theology so far as it recognizes the existence of a creator, and the moral duties resulting therefrom, is requisite to form the citizen to the laws and constitutions of his country; that is, to make him a good citizen. As establishing this, nothing can be more to the purpose than the following words of Chancellor Kent, delivered in a noted case, from the bench of the Supreme Court:

"Blasphemy against God," he says, "and contumelious reproaches and profane ridicule of Christ or the Holy Scriptures, which are equally treated as blasphemy, are offenses punishable at common law, whether uttered by words or writings. . . . Nor are we bound, by any expressions in the constitution, as some have strangely supposed, either not to punish at all, or to punish indiscriminately, the like attacks upon the religion of Mohammed,

or of the Grand Lama; and for this plain reason, that we are a Christian people, and *the morality of the country is deeply ingrafted upon Christianity, and not upon the doctrines or worship of those impostors.*"*

Against the infidel, no need of more words. Until he has his way and pulls down the whole fabric of our civilization, he must be content to let others protect his life and property, and even his right, within decent limits, to utter and publish his communistic absurdities, and his fanatical hatred of all Christian society. To the disciple of Pius the Ninth we oppose a like consideration, based upon the *free* civilization of American Christianity. The law secures us in the right and duty of teaching the children of the republic the fundamental morality of the Bible, as a rule of conduct. When he answers, "But all this will conflict with the syllabus, by which we are bound to instruct and govern our children," we can only reply, the syllabus is the law of a foreign potentate, which we are not in any way bound to respect, because "the morality of the country is not ingrafted upon the doctrines of that instrument." If the Bible, as read in our schools, conflicts with your "syllabus," so does the constitution of the State and that of the nation; and if you send your children to the public schools, we shall teach them these constitutions, and you must pay your taxes. You can set up schools of your own, and teach the morals of the "syllabus" and of St. Alphonsus de' Liguori, destructive as they are of all the principles of American citizenship. You will be protected in so doing, because other children are taught to respect your rights under the constitution. It is no hardship that you should be taxed to support schools which thus define and defend your right to make your own children enemies of the whole fabric of American freedom, and cruel assailants of society as organized to preserve and perpetuate it.

The spirit of Romanism is not changed; but the letter of its law has essentially changed the relation of all Romanists to free states, since the publication of the syllabus of the late Pope, in connection with his assumption of infallibility. We might differ dogmatically with the late Archbishop Carroll, of Baltimore, or with the good old Cheverus, of Boston; but they were nurtured in those Gallican maxims of which Bossuet was the great

* See, also, on this case, Judge Allen, etc., 33 Barber, p. 567.

expounder, and under which they sheltered themselves, in their conformity to the free laws of America. They were good citizens. But it is the misfortune of the present generation of American Romanists that their foreign oracle has compelled them to choose between being good citizens or good Papists. If we teach their children the American constitution and that of our State, in our public schools, they are spoiled as Romanists. For example, we teach them (1) the liberty of the press; (2) liberty of conscience and of worship; (3) liberty of speech; (4) the power of the state to define the civil rights of ecclesiastics; (5) that the church may not employ force; (6) that the civil law must prevail over Papal laws; (7) that the free exercise of religions ought to be allowed in all countries; (8) that civil marriages are valid; (9) that the domain of *morals* may be treated apart from the decrees of pontiffs, and (10) that civil duty and allegiance may be taught and treated with a similar freedom. We teach all these things directly, or indirectly, in expounding the American constitution and the principles on which it rests. Should any American complain? Yet, in the creed of the Papist, every one of these principles is condemned by "infallible" authority, and nobody can maintain them without peril of salvation. Is it just that we should be called upon to turn the constitution out of our public schools in deference to our Romish fellow-citizens and their scruples? Why not? If every reading-book must be purged of the parables of our Lord, and if, because such citizens object, no pupil may be allowed to know anything about the Book, on which he may be called to swear in a court of justice, where are we to stop? Where shall we draw the line? For a hundred years of American freedom, the Bible and its maxims have been honored and, in some degree, taught in our public schools. Who is the worse for it? Certainly not the Romanists, who have derived from our State laws unbounded franchises, and from our State treasury immense endowments. They teach that no Romish state ought even to tolerate us, in a reverse of circumstances. Obviously, as soon as they become the majority, *we shall not even be tolerated*. May it not be wise for us to hold by our civil rights as heretofore understood? They are a better means of self-preservation than such as would be our sole resource should Rome obtain the majority, and begin to act upon the principles of the syllabus.

In short, we take our stand upon this rule: that no good

citizen can object to our schools on the ground of a simple and elementary use of the Scripture, and the inculcation of Scriptural morality, which has always been a feature of public-school instruction in this State. The citizen who objects must furnish a better system, to prepare the young for their moral duties and their civil rights, under a free constitution. When this better system is accepted by a majority of our people, it will doubtless be introduced. Till then—*nolumus mutari*: we see no reason for changing our institutions to suit the views and scruples of those who accept a foreign despot as the master of their consciences.

A. CLEVELAND COXE.